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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,289	07/17/2003	Richard W. Ragan JR.	RSW920030060US1	2496
45541 7590 03/09/2009 HOFFMAN WARNICK LLC 75 STATE ST 14TH FLOOR ALBANY, NY 12207				
EXAMINER THERIAULT, STEVEN B				
ART UNIT 2179		PAPER NUMBER		
NOTIFICATION DATE 03/09/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hoffmanwarnick.com

### Office Action Summary

**Application No.**

10/621,289

**Applicant(s)**

RAGAN ET AL.

**Examiner**

STEVEN B. THERIAULT

**Art Unit**

2179

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 7-11, 13-15, 17-21 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11, 13-15, 17-21, 23-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to the following communications: amendment filed 11/21/2008.

**This action is made final.**

2. Claims 1 -5, 7-11, 13-15, 17-21, 23-25 are pending in the case. Claims 1, 11, 14, and 20 are the independent claims. Claims 6, 12, 16, 22 have been cancelled.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1 -5, 7-11, 13-15, 17-21, 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Beauregard et al. (Hereinafter Beauregard) U.S. Patent Publication No. 20020156774 filed Apr. 8, 2002, or in the alternative Beauregard in view of Bodin et al (hereinafter Bodin) U.S. Patent No. 7,310,636 filed Jan. 15, 2002.**

In regard to **Independent claim 1**, Beauregard teaches a method of automatically customizing a user interface the method comprising:

- Identifying a user of the user interface, wherein the identifying prompting the user to provide a user name and password (see Para 35, 142, 175 and 336, password). Beauregard clearly teaches identifying the user, based on their profile and the profile is used to adjust the interface.
- Displaying an object within the user interface (Figure 14, 16-17). Beauregard expressly teaches displaying an object on the interface, to which is adjusted when the user signs into it.
- Displaying a plurality of shortcuts for the object (See Para 35, 140, and 160), wherein at least one shortcut of the plurality of shortcuts comprises a control for managing the object in an application (Se Para 108, 171-173, and 380).
- Wherein the plurality of shortcuts is automatically adjusted based on the application that manages the object, identity of the user and a history of

the object operations performed by the user to manage the object (See Para 28, 34, 160, 171-173, 180-183, 378-381)

However, if the limitation of displaying a plurality of shortcuts comprising control for managing the object in an application cannot be reasonably presented as the active word shortcuts of Beauregard then the system of Bodin can be relied upon. Beauregard teaches commands are entered by the user as any context the user desires. Bodin teaches the context entries assigned to shortcuts can also be set by the user (See column 1, lines 35-55). Bodin expressly teaches the shortcuts control an object in an application (See column 7, lines 40-67 and column 8, lines 40-67).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of the invention having the teachings of Beauregard and Bodin in front of them to modify the system of Beauregard to specifically display shortcuts for controlling an object within an application. The motivation to combine Beauregard with Bodin comes from the suggestion in Bodin of allowing the user to enter context from the interface, which is similar to Beauregard and where Bodin teaches the useful feature of allowing a user perform queries against a database to control an application (See column 7, lines 20-40 and figure 4).

With respect to **dependent claim 2**, Beauregard teaches the method wherein the plurality of shortcuts comprises one of: a hyperlink, a button, an icon, a toolbar control, and a menu item (See Para 421-423 and figure 14).

With respect to **dependent claim 3**, Beauregard teaches the method wherein the object comprises one of a data file and a set of related data within a data file (Para 352-361 and column 7, lines 20-40).

With respect to **dependent claim 4**, Beauregard teaches the method further comprising recording object operations that are performed by the user on the object to create the history of object operations (See Para 232-234, 378-381).

With respect to **dependent claim 5**, Beauregard teaches calculating a frequency that each object operation was selected by the user, and determining a particular object operation having the highest frequency (See figure 11). Beauregard shows the count for each object operation selection by the user and presents the most common item with the count at the top

As to **dependent claim 7, 17 and 23**, Beauregard teaches the method, system and medium (See Para 13) wherein the object has one of a plurality of object states and wherein the displayed shortcuts are further based on object state (Figure 11, and Para 386-387).

With respect to **dependent claim 8**, Beauregard teaches the method wherein the user has a user attribute and wherein the displayed shortcut are further based on a history of object operations selected by a set of users having the user attribute (Para 17, 378-381).

With respect to **dependent claim 9**, Beauregard teaches the method wherein the object has an object attribute and wherein the displayed shortcut is further based on a history of object

operations selected for a set of objects having the object attribute (See Figure 11, and Para 378-381).

With respect to **dependent claims 10 and 13**, Beauregard teaches reserving a portion of the interface for displaying the shortcuts, wherein the shortcuts are displayed in the reserved portion. (See Figure 14, toolbar is a reserved portion for showing the shortcuts).

In regard to **Independent claim 11**, Beauregard teaches the method of automatically customizing a user interface the method comprising:

- Identifying a user of the user interface, wherein the identifying prompting the user to provide a user name and password (see Para 35, 142, 175 and 336, password). Beauregard clearly teaches identifying the user, based on their profile and the profile is used to adjust the interface.
- Displaying an object within the user interface (Figure 14, 16-17).  
Beauregard expressly teaches displaying an object on the interface, to which is adjusted when the user signs into it.
- Recording object operations that are performed by the user on the object to manage the  
object in a history of object operations (See Para 378-381)
- Displaying a plurality of shortcuts for the object (See Para 35, 140, and 160), wherein at least one shortcut of the plurality of shortcuts comprises a

control for managing the object in an application (See Para 108, 171-173, and 380).

- Wherein the plurality of shortcuts is automatically adjusted based on the application that manages the object, identity of the user and a history of the object operations performed by the user to manage the object (See Para 28, 34, 160, 171-173, 180-183, 378-381)

However, if the limitation of displaying a plurality of shortcuts comprising control for managing the object in an application cannot be reasonably presented as the active word shortcuts of Beauregard then the system of Bodin can be relied upon. Beauregard teaches commands are entered by the user as any context the user desires. Bodin teaches the context entries assigned to shortcuts can also be set by the user (See column 1, lines 35-55). Bodin expressly teaches the shortcuts control an object in an application (See column 7, lines 40-67 and column 8, lines 40-67).

Accordingly it would have been obvious to one of ordinary skill in the art at the time of the invention having the teachings of Beauregard and Bodin in front of them to modify the system of Beauregard to specifically display shortcuts for controlling an object within an application. The motivation to combine Beauregard with Bodin comes from the suggestion in Bodin of allowing the user to enter context from the interface, which is similar to Beauregard and where Bodin



teaches the useful feature of allowing a user perform queries against a database to control an application (See column 7, lines 20-40 and figure 4).

In regard to **Claims 14-15**, claims 14-15 reflect the system comprising computer readable instructions for performing the steps of method claims 11-12, respectively, and are rejected along the same rationale.

With respect to **dependent claim 18**, Beauregard teaches the method wherein the user has a user attribute and wherein the displayed shortcuts are further based on a history of object operations selected by a set of users having the user attribute (Para 17, 378-381)

With respect to **dependent claim 19**, Eruhimov teaches the method wherein the object has an object attribute and wherein the displayed shortcut is further based on a history of object operations selected for a set of objects (Para 17, 378-381)

In regard to **Claims 20-21**, claims 20-21 reflect the program product comprising computer readable instructions for performing the steps of method claims 11-12, respectively, and are rejected along the same rationale.

With respect to **dependent claim 24**, claim 24 incorporates substantially similar subject matter as claimed in claim 18, and is respectfully rejected along the same rationale.

With respect to **dependent claim 25**, claim 25 incorporates substantially similar subject matter as claimed in claim 19, and is respectfully rejected along the same rationale.

***Response to Arguments***

Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M, W, F 10:00AM - 8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Patent Examiner  
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Supervisory Patent Examiner, Art Unit 2179